

MINUTES
PLANNING COMMISSION
MAY 27, 2014 – 7:00 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 2

Chairman Sherrard called the meeting to order at 7:03 p.m.

I. ROLL CALL

Regular members present: Sherrard, Pritchard, Kane, Munn, Steinfeld

Alternate members present: Fitzgerald, Zod

Absent:

Staff present: Glemboski, Silsby

II. APPROVAL OF THE FOLLOWING MINUTES May 13, 2014

Motion: To approve the May 13, 2014 minutes, as written.

Motion made by Steinfeld, seconded by Pritchard, so voted 4 in favor, 1 abstention (Munn).

III. PUBLIC COMMUNICATIONS

Sherrard informed the Commission that he received notification from the Town Clerk's office that Barbara Tarbox has been appointed as an alternate member of the Planning Commission.

Fred Kent stated that he would like to speak on the subject of the Noank School reuse. Sherrard explained that his comments should be brought up during the discussion of the referral, later in the meeting.

IV. SUBDIVISIONS

1. Seaport Community Church Subdivision, 28 Great Brook Road (SUB13-04) – Request for 90-day extension for recording of final plans.

Staff stated that the first 90 days is up on May 30, 2014. She explained that the applicant is requesting a 90-day extension in order to finalize the plans and conservation easement.

MOTION: To grant a 90-day extension until August 28, 2014.

An inquiry was made about the missing wedge of property (surveyor's gap). Staff noted that Downs-Patterson was consulted to assist in making an adjustment to the plans.

Motion made by Munn, seconded by Pritchard, so voted unanimously

V. SITE PLANS

1. Historic Mystic LLC (Central Hall), 18-22 West Main Street (SIT12-13) – Request for Start of Construction Extension

Staff explained that the applicant has requested a 3-month extension to September 10, 2014. A pre-construction meeting will be held next Tuesday.

MOTION: To grant a 90 day Extension for Start of Construction until September 10, 2014.

An inquiry was made about the status of the proposed dock. Staff noted that the applicant applied to DEEP for a dock off of the deck and an extension of the deck area. She added that the extension of the deck area was over town property. She also added that the applicant may be required to go back to the Town Council regarding the area over town property.

Motion made by Pritchard, seconded by Steinfeld, so voted unanimously.

2. Thames Edge at Fairview – Phase II, 231 Lestertown Road (SIT14-03) (CAM)

Clint Brown of DiCesare Bentley Engineers, Myles Brown, Associate Principal of Amenta Emma Architects, and William Richter, Landscape Architect of Richter Cegan, were here to present the application. Brown reviewed maps and gave a recap of the master plan of the project. Specifics were given about what has been accomplished to date for Phase I, which includes 23 units. There are 17 additional units, of various designs, in Phase II. Focus groups have been held with potential buyers for this design phase. Details were given about the storm water management, pump station, parking, grading, utilities, public water, gravity sewer, and sidewalks. He explained why sidewalk waivers are being requested. Lighting will be “dark-sky” compliant. Specifics were also given about the sediment erosion control plan.

Myles Brown of Amenta Emma Architects, spoke about the benefits of the focus group in regards to design. He reviewed the floor plans, elevations, and the different design and size of the units. All units will have access at grade level. Some units will have 2 car garages.

William Richter, of Richter Cegan, distributed and reviewed the landscaping plan. He stated that everything proposed complies with the intent of the zoning regulations. Specifics were given about street and ornamental trees, the preserving of existing trees, and the 25-foot buffer requirement for trees. Property lines were noted and aerial photos were reviewed. Information about access to sidewalks and public and private walks were noted. He noted the importance of incorporating and promoting common spaces.

Staff noted the concern about the isolation of Phase II from the rest of the development and the sloped areas. Special Permit conditions noted that the design could be modified for Phase II, based on the site plan application. An overview was given about what the town visualized for this development in terms of common space. Specifics were given about the walkways, transportation options, and visitor parking.

Members discussed the draft motion. They felt the application was very well presented. Details were given about what should be detailed on the final site plans. Staff noted that the storm water permit and erosion control plan have been completed. She also noted that CT DEEP previously reviewed the CAM issues with the Special Permit.

An inquiry was made about the difference between dark sky and full cut off lights. Concerns were raised about lighting and glare, and a request was made to take extra care when choosing the lights. Discussion ensued about the sidewalk waiver requests.

Various inquiries and concerns were made about pervious pavement, offsite and onsite transportation, fire protection, steep slopes, parking locations, sidewalks, homeowner age requirements, and future development. Staff will confer with the fire marshal on specific items. Discussion ensued whether there will be complete or partial ownership of these units. Staff referred to the zoning requirements and the fair housing act.

MOTION: To approve a waiver of section 7.5-5 C requiring frontage sidewalks along Military Highway, Lestertown Road and Boardsen Road. This waiver is specific to Phase II of this project and is granted without prejudice to the commission's review and action on any subsequent phases. Approval of the waiver, with respect to Phase II, is based upon the following:

1. The scale of Phase II (17 active senior housing units) and any related pedestrian activity, are not sufficient to justify the installation of extensive external walks, at this time.
2. Installation of walks on Boardsen Road and on Military Highway would be greatly complicated by certain existing conditions including, but not limited to, slopes, limited public rights of way, and natural resource constraints.

Motion made by Sherrard, seconded by Munn, so voted unanimously.

MOTION: To approve SIT 14-03 for site plan approval for Phase II of a residential life care community pursuant to Special Permit #323, and consisting of 17 active senior housing units, subject to the following modifications:

1. The final site plan shall show how level access to all units can be achieved and how all units meet the Universal Design Features specified in Special Permit #323.
2. The final site plan shall show the use of pervious pavers in the areas as shown on LP-1.1 and LP-1.2 (last revision date 5/5/14) and shall show Phase II frontage trees as shown on LP-5.2 (last revision date 5/5/14).
3. The final site plan shall show that the landscaping design will not be compromised by the utility line locations and will still meet the intent of the zoning regulations.
4. A note shall be provided on the final site plan stating "Prior to the first Certificate of Occupancy in Phase II, a program shall be in place to provide transportation for occupants of Phase I and II to any of the onsite amenities."
5. Any use of the area on the west side of the access drive for storage of excess materials requires an erosion control plan, reviewed and approved by the Office of Planning and Development Services (OPDS).
6. The project engineer shall provide to OPDS monthly, written reports outlining the status of project work, anticipated completion dates for work, necessary or desirable field adjustments, action taken to address unanticipated field conditions, and any other such relevant construction issues.

7. Technical items raised by staff shall be addressed in the final plans.

The Planning Commission finds that the requested modification to Section 7.4-4 for landscape buffer requirements along the south property line, meets the intent of the Zoning Regulations due to the compatible residential uses and the distance between such uses. The Planning Commission reserves the right to review the buffer requirements for this location with future phases of development for the site.

Motion made by Sherrard, seconded by Steinfeld, so voted unanimously.

MOTION: To approve the coastal site plan application for SIT14-03, because it is consistent with all applicable goals and policies of CGS 22a-92 and incorporates all reasonable measures, which would mitigate adverse impacts of the proposed activity on both coastal resources, and on existing and future water dependent development opportunities.

Motion made by Sherrard, seconded by Pritchard, so voted unanimously.

The Commission took a break at 8:45 p.m. and reconvened at 8:51 p.m.

VI. OLD BUSINESS

1. Subdivision Regulation Amendments – No update.
2. Plan of Conservation and Development Update

Sherrard stated that the last meeting of the Steering Committee was held on May 22, 2014. He explained that the Planning Commission will now start reviewing the draft report.

VII. NEW BUSINESS

1. Report of Commission – None.
2. Zoning Board of Appeals Referral for June 4, 2014 Public Hearing
 - a. SPEC342 – New Restaurant, 27-29 West Main Street (CAM)

Staff reviewed plans and the proposal to open a restaurant. Staff noted that the 1st floor of the building will house the restaurant, retail, and a small outdoor eating section. Square footages and parking requirements were noted. Inquiries were made about the hours of operation.

Greg Fedus of Fedus Engineering stated that no specific restaurant has been determined as yet.

Concerns were raised about downtown Mystic becoming a food court and the lack of sufficient parking. Some members felt that more facts were needed before any approval should be given. A concern was raised about Mystic Art Center parking spaces. It was pointed out that the Special Permit was for a change of use. Zod had no issue with having more restaurants in downtown Mystic and believes that younger people are invigorating the downtown area.

The Commission felt they should express their concerns about parking to the Zoning Commission. Sherrard and others agreed that their main concerns were about parking and the lack of specificity of hours of operation.

MOTION: With the apparent increase in utilization, the Planning Commission is concerned with sufficient parking and operational details, including hours of operation.

Motion made by Sherrard, seconded by Munn. Motion passed unanimously

3. Town Council referral under CGS 8-24 regarding the proposed lease for a portion of Fitch Middle School to Project Learn

Staff distributed a copy of a letter that the Town received today. She explained that they are requesting a 2-year lease and that this use is consistent with the POCD.

An inquiry was made about the environmental safety of the building. Members felt that this was a good temporary use of the building.

MOTION: The Planning Commission supports the continued educational partial use of Fitch Middle School by lease to Project Learn.

Motion made by Sherrard, seconded by Steinford. Motion passed unanimously.

4. Town Council referral under CGS 8-24 regarding the proposed lease with Noank School public gardens for use of the Noank School Property

Staff distributed a summary of a presentation made to the Town Council on May 13, 2014. Sherrard stated that the Planning Commission has 35 days to act on this referral.

Fred Kent, a resident of 22 Burrows Street, Groton Long Point, and the property owner of 120 Warren Avenue, West Mystic, distributed a 3-page handout and expressed concerns about the escalation of future taxes and why this proposed use of the Noank School is not fiscally the right thing to do. He spoke about the potential loss of revenue to the Town, as he explained why he is against this re-use.

Betty Smith, 255 Neptune Avenue, distributed handouts. She agrees with Mr. Kent and explained why this is an inappropriate use of this property. She spoke about Town debt and referred to the amount of potential revenue the Town could realize, if sold residentially. She referred to the POCD and asked the Planning Commission to consider her comments and to disapprove the proposal to lease this property.

Bill Smith, 255 Neptune Drive, explained his numerous affiliations with the Town of Groton, which include being an RTM member and a member of the POCD Steering Committee. He agreed with Betty Smith and asked the Planning Commission to disapprove this intended use. Reference was given to a loss of potential Town revenue and economic growth.

Discussion followed about CGS8-24 referrals and how this gets voted on by the Town Council. Sherrard specified that if the Planning Commission recommends against this concept, it would then go from a simple majority to a super majority vote, requiring a two-thirds vote by the Town Council.

Planning Commission members agreed with the speakers as they expressed their concerns. They felt that granting approval would benefit only a few people and would be fiscally one-sided. Inquiries were raised about keeping 10% as open space.

Steinford spoke about his involvement with the Noank Re-Use Task Force. He expressed his frustration with the group. He agrees with the comments made by the speakers and believes that the Town should put this property on the market.

It was determined that Planning Commission members would submit comments to the Planning Department prior to a decision being made at the next Planning Commission meeting on June 10, 2014.

MOTION: To Table this referral until June 10, 2014.

Motion made by Sherrard, seconded by Pritchard, so voted unanimously.

5. New Applications – None.

VIII. REPORT OF CHAIRMAN

Sherrard stated that he attended the Regional Planning Commission in April and explained that doing away with regional meetings had been discussed. Background information was given about the benefits of having a regional planning commission. He will report back when further information is obtained.

IX. REPORT OF STAFF

Staff handed out information about the process involved in the Planning Commission reviewing the draft POCD. She noted the importance of reviewing the format of the document prior to any other revisions. Setting Planning Commission workshops was discussed.

Staff stated that a business caravan will take place possibly next Fall. She noted that the temporary van at the Rolling Tomato has been removed. She also noted that no updates about the sign at Dunkin Donuts or the structure outside of Chester's Barbeque have been received yet.

X. ADJOURNMENT

Motion to adjourn at 10:15 p.m. was made by Pritchard, seconded by Steinford, so voted unanimously.

Jeffrey Pritchard, Secretary
Planning Commission

Prepared by Robin Silsby
Office Assistant II